
STANDARDS OF GOOD PRACTICE – DAY LABOR CONSTRUCTION

WAC 136 CHAPTER 18

WAC 136-18-010 Purpose and authority.

Chapter 36.77 RCW provides for the construction and improvement of county roads by contract, by day labor or by a combination of day labor and contract. The purpose of this standard of good practice is to assure that all day labor construction work is accomplished within statutory limitations.

WAC 136-18-020 Definitions.

For purposes of implementing statutory requirements relative to day labor construction work, the following definitions shall apply:

- (1) Construction – the building of a new road facility or improvement of an existing facility to a higher geometric or structural standard.
- (2) Day labor construction – construction work performed by personnel carried on the county payroll using county-owned, leased or rented equipment.
- (3) Authorization date – the date that construction is authorized.
- (4) Start of construction – the date that construction work commences.
- (5) End of construction – the date that construction work is completed.
- (6) Completion date – the date on which a county road project is closed in the accounting records.
- (7) Estimated construction costs – the county engineer's estimate of the cost of contemplated construction work, not including preliminary engineering and right of way acquisition costs.
- (8) Estimated project costs – the county engineer's estimate of the cost of engineering, right of way acquisition, and construction costs.
- (9) True and complete construction costs – the accounting record of all construction costs attributed to a county road project from the authorization date to the completion date.
- (10) True and complete project costs – the accounting record of all engineering, right of way acquisition, and construction costs attributed to a county road project from the authorization date to the completion date.
- (11) Day labor county road project – day labor construction authorized by action of the county legislative authority in those counties where a cumulative dollar limit applies to all day labor construction.
- (12) Special day labor county road project – day labor construction which will result in a facility with independent utility, authorized by action of the county legislative authority in those counties:
 - (a) With populations equal to or exceeding 50,000 and where the total construction budget is less than five hundred thousand dollars and the legislative authority has by resolution elected to perform day labor construction in an amount not to exceed thirty-five thousand dollars including labor, equipment and materials on any one project.
 - (b) With populations less than 50,000 and where the total construction budget is less than five hundred thousand dollars and the legislative authority has by resolution elected to perform day labor construction in an amount not to exceed thirty-eight thousand five hundred dollars including labor, equipment and materials on any one project.

WAC 136-18-030 Authorization of day labor projects.

Every proposed day labor county road project and special day labor county road project shall be a part of the county's annual construction program as defined in RCW 36.81.130 and WAC 136-16-020. Additions to the program, and/or substitutions in the program, may be made by unanimous action of the county legislative authority at any time as provided in RCW 36.81.130. No construction work shall be done on any project until it has been authorized by resolution of said authority. The resolution shall include:

- (1) A brief description of the project;
- (2) A vicinity map showing the location of the project and its limits, provided that in lieu of individual vicinity maps, a single vicinity map showing the location of all projects may be included with the resolution adopting the annual program;
- (3) Identification of the project in terms of the officially adopted annual program;
- (4) The county engineer's estimate of construction costs prepared pursuant to the completion of such preliminary engineering; and
- (5) Construction plans as shall be necessary and sufficient.

WAC 136-18-035 Special day labor limit for electrical and traffic control projects.

Projects that consist of electrical and traffic control work are subject to the specific day labor limits as set forth in RCW 36.77.065.

WAC 136-18-060 Day labor project records.

All day labor and special day labor project cost records shall be kept in the manner prescribed by the BARS manual. Records of quantities shall be kept in a manner consistent with original project estimates. The project records shall contain, but shall not be limited to, the following:

- (1) Dated authorizing resolution;
- (2) Vicinity map showing project location and limits;
- (3) County engineer's estimate;
- (4) Affidavit of preconstruction publication required by RCW 36.77.070;
- (5) Documentation of start and end of construction dates;
- (6) Affidavits of post-construction publication showing true and complete project cost as required by RCW 36.77.070.

WAC 136-18-064 Preconstruction publication requirements.

The preconstruction publication required by RCW 36.77.070 may be made at any time subsequent to the adoption of the annual road construction program by the county legislative authority, but no later than the commencement of day labor on the project or projects. The publication shall include a brief description of each project and the county engineer's estimate of each project cost showing right of way acquisition, preliminary engineering, contract work (if any) and work by day labor.

WAC 136-18-070 Special day labor project reporting to the county road administration board.

Each county engineer shall submit to the county road administration board a copy of each resolution authorizing a special day labor county road project whose estimated construction cost exceeds seventy-five percent of the day labor limit. Upon completion of each of these projects, or no later than March 1st of the succeeding year, the county engineer shall furnish to the county road administration board a copy of the record of true and complete construction costs. On any project where true and complete construction costs have exceeded the statutory day labor limit, the county engineer shall also provide to the county road administration board an explanation of the circumstances resulting in such over-expenditure.

WAC 136-18-080 Review of day labor compliance by the county road administration board.

The executive director of the county road administration board shall have authority to investigate cases of apparent violations of day labor limits and, for special day labor projects, prepare a listing of all such projects for which actual expenditures have exceeded the statutory day labor limit during the

previous calendar year for review by the county road administration board at its second regular meeting of each calendar year.

WAC 136-18-090 Action on day labor compliance by the county road administration board.

Determination by the county road administration board that a violation of RCW 36.77.065 has occurred shall be cause for issuance of a conditional certificate of good practice by the board as specified in WAC 136-04-060 on behalf of the county in which the violation occurred. The first condition of such a conditional certificate of good practice shall be that the county be required, at the next regular or special meeting of the county road administration board, to show cause why a certificate of good practice should not be denied to that county.

